

**REMARKS**

Claims 1, 3-11, 13-16 and 18-30 remain in this application. Claims 1, 3-11, 13-16 and 18-30 are rejected. Claims 2, 12, and 17 are previously cancelled. Claims 1, 3, 5, 7-9, 11, 13, 15, 16, 18-20, 22-24, 26, 28-30 are amended herein to clarify the invention, to broaden language as deemed appropriate and to address matters of form unrelated to substantive patentability issues. For the convenience of the Examiner, APPENDIX I is provided herewith having a complete set of pending claims with all amendments effected therein.

Claims 1, 3, 11, 12, 16, 18, 26 and 27 are rejected under 35 U.S.C. § 102(b) as being anticipated by the Hideki reference. Applicant herein respectfully traverses these rejections. "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*" *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added). It is respectfully submitted that the cited reference is deficient with regard to the following.

According to the present invention as recited in claims 1, 16, and 26 a game player is required to perform a series of successive command input operations to control the game character to perform a technique set in accordance with a

difficulty level, which can be also set. Additionally, the player is provided with guidance relating a series of commands as to how to perform the series of command inputs to control the play character throughout the technique.

On the other hand, Hideki reference shows a game in which a player is required to give a single input to have a golf ball perform a technique (flying towards a flag on a green in a golf course). Although various foot settings can be set before initiating the action of hitting the golf ball, the actual travel of the golf ball is initiated by one input after which the player provides no further input to control the golf ball.

The fact that no operations are required after hitting the ball highlights another important difference between the claimed invention and the cited reference in that the golf ball is an inanimate object, and not a play character, which in real life cannot be further controlled after it is struck. In contrast the present invention requires a series of successive command inputs, in accordance with the guidance instructing the series of command, to control the play character. In the present invention, the actions of the game character can be controlled by the game player from the beginning to the end of performance of the technique as is reflected in the claim language "to guide the play character throughout the technique." In contrast, according to the game of Hideki Ref., the game player has to let a computer handle the rest once he/she gives a single operation to hit the golf ball. From this it

follows that the Hediki reference lacks the teaching of providing guidance relating a series of commands since only one stroke is needed in the Hediki reference.

With regard to independent claim 16, and claims 18 and 27, the Hediki reference fails to teach setting a difficulty level in accordance with a number of operations performed within a predetermined time period. Instead, the Hediki reference teaches releasing a button at a time when the power meter is at a desired level. Thus, the difficulty level in Hediki is not related to the number of operations performed within a predetermined time period.

In view of the above, it is respectfully submitted that claims 1, 3, 11, 16, 18, 26 and 27 particularly describe and distinctly claim elements not disclosed in the cited reference. Therefore, reconsideration of the rejections of claims 1, 3, 11, 16, 18, 26 and 27 and their allowance are respectfully requested.

Claims 4-10, 12, 13 and 19-25 are rejected as obvious over the Hediki reference in view of the NWO-98 reference under 35 U.S.C. §103(a). The applicant herein respectfully traverses this rejection. For a rejection under 35 U.S.C. §103(a) to be sustained, the differences between the features of the combined references and the present invention must be obvious to one skilled in the art.

It is respectfully submitted that the proffered combination of references cannot render the rejected claims obvious because the secondary NWO-98

reference does not provide the teaching noted above with respect to the anticipation rejection that is absent from the primary Hediki reference.

Nowhere in the NWO-98 reference is a disclosure of providing a guide for a command series, accepting a series of command inputs from the player to control a play character throughout a technique that is to be input in accordance with the command series guide, or the setting of a difficulty level based on the number of operations within a predetermined time.

It is respectfully submitted that the Examiner's interpretation of paragraphs 3 & 4 on page 2 of NOW-98 is not accurate. The indicated portion of NOW-98 fails to disclose a claim 30 feature, that is, the more the second operation member is operated within a certain time period, the larger the size of the mark gets, resulting in increasing the degree of difficulty of the performing of the technique. The Examiner's indicated portion of NOW-98 basically mentions that when a player selects a technique in Freestyle Skiing Aerials, the harder the technique is, a more rapid operation of the A button is required during the technique. In other words, NOW-98 basically says that more rapid operation is necessary *when* the technique is more difficult. Claim 30 relates that a greater number of operations of the second operation member during a predetermined time period is needed for setting higher the level of difficulty. This is clearly different from the subject

matter of both claims 26 and 30 which require more operations with the time period to *set* the level of difficulty higher.

Furthermore, in the section of Snowboard: Halfpipe in NOW-98, it is mentioned that the higher the difficulty level of the technique, the more complicated the orders in the operations of the buttons are. However, this disclosure is again clearly different from claim 30. In other words, claim 30 basically defines the button operations before the initiation of the technique by the game character that are require to *set* a difficulty level. On the other hand, the indicated portion of NOW-98 talks about the operations of the buttons after the initiation of the performance of the technique by the game character.


Thus, the combination of prior art references fails to teach or suggest all the claim limitations. Therefore, reconsideration of the rejections of claims 4-10, 13 and 19-25 and their allowance are respectfully requested.

With regard to formal matters concerning the present rejections, it is noted that there is no art based or form based rejection of claim 15 made in the office action. Accordingly, indication of its allowance is respectfully requested in the next office action. If claim 15 is to be rejected, it is submitted that the next office action cannot be made final since claim 15 is not substantively amended and is being examined for the first time. Additionally, it is pointed out that rejections of claim 12 are moot in that claim 12 is previously cancelled.


Applicant respectfully requests a two month extension of time for responding to the Office Action. Please charge the fee of \$420.00 for the extension of time to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,  
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